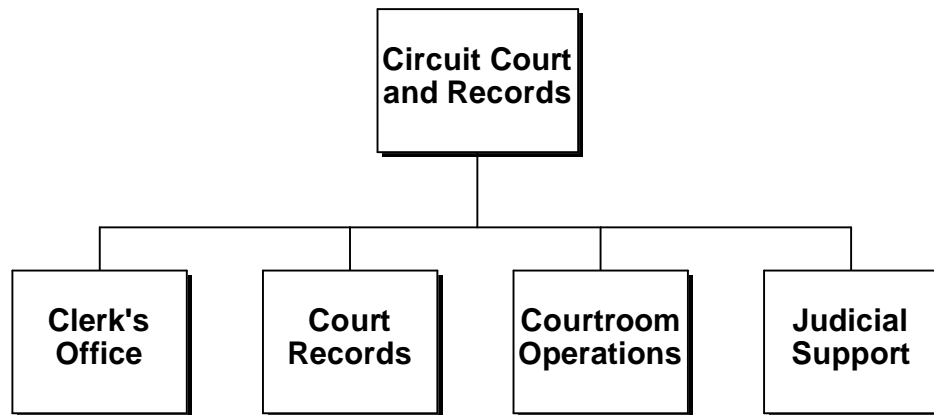


## CIRCUIT COURT AND RECORDS



# CIRCUIT COURT AND RECORDS

## Agency Position Summary

137	Regular Positions	/	137.0	Regular Staff Years
15	State Positions	/	15.0	State Staff Years
24	Exempt Positions	/	24.0	Exempt Staff Years
<u>1</u>	Grant Position	/	<u>1.0</u>	Grant Staff Year
177	Total Positions	/	177.0	Total Staff Years

## Position Detail Information

### CLERK'S OFFICE (Exempt Positions)

1	County Clerk (Elected) E
1	Deputy County Clerk E
1	Chief of Administrative Services E
1	Management Analyst III E
1	Management Analyst II E
1	Administrative Assistant IV E
1	Administrative Assistant III E
<u>1</u>	Administrative Assistant II E
8	Positions
8.0	Staff Years

### CLERK'S OFFICE (Regular Merit Positions)

1	Management Analyst II
1	Management Analyst I
1	Legal Records/Services Manager
1	Programmer Analyst IV
1	Programmer Analyst III
2	Programmer Analysts II
1	Network/Telecom. Analyst II
1	Accountant II
1	Accountant I
1	Administrative Assistant V
2	Administrative Assistants IV
16	Administrative Assistants II
5	Court Clerks II
<u>1</u>	Court Clerk I
35	Positions
35.0	Staff Years

### COURT RECORDS

2	Legal Records/Services Managers
5	Administrative Assistants IV
2	Administrative Assistants III
39	Administrative Assistants II
1	Archives Technician
<u>3</u>	Administrative Assistants I
52	Positions
52.0	Staff Years

### COURTROOM OPERATIONS

1	Administrative Assistant V
3	Administrative Assistants IV
2	Legal Records/Services Managers
16	Court Clerks II
12	Court Clerks I
8	Administrative Assistants II
42	Positions
42.0	Staff Years

### JUDICIAL SUPPORT

1	Chief Judge S
14	Judges S
15	Law Clerks E
1	Management Analyst III E
2	Administrative Assistants V
5	Administrative Assistants IV
<u>1</u>	Management Analyst II
39	Positions
39.0	Staff Years

E Denotes Exempt Positions  
S Denotes State Positions

The details for the agency's 1/1.0 SYE grant position in Fund 102, Federal/State Grant Fund are included in the Summary of Grant Positions in Volume 1.

# CIRCUIT COURT AND RECORDS

## Agency Mission

To serve the citizens, legal and business communities of Fairfax County, the City of Fairfax, Towns of Vienna, Herndon, and Clifton, as well as provide administrative support to the Circuit Court Judges.

Agency Summary					
Category	FY 2002 Actual	FY 2003 Adopted Budget Plan	FY 2003 Revised Budget Plan	FY 2004 Advertised Budget Plan	FY 2004 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	138/ 138	137/ 137	137/ 137	137/ 137	137/ 137
Exempt	24/ 24	24/ 24	24/ 24	24/ 24	24/ 24
State	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
Expenditures:					
Personnel Services	\$6,450,860	\$6,853,390	\$6,589,458	\$6,917,807	\$6,829,693
Operating Expenses	1,996,032	2,066,642	2,455,943	1,918,140	1,889,140
Capital Equipment	23,583	0	9,396	0	0
<b>Total Expenditures</b>	<b>\$8,470,475</b>	<b>\$8,920,032</b>	<b>\$9,054,797</b>	<b>\$8,835,947</b>	<b>\$8,718,833</b>
Income:					
Land Transfer Fees	\$36,299	\$38,010	\$38,010	\$38,010	\$38,010
Courthouse Maintenance	5,785	5,637	5,637	5,637	5,637
Fines and Penalties	142,330	148,248	142,330	145,177	145,177
County Clerk Fees	7,964,750	6,235,663	9,097,837	6,723,985	6,723,985
City/County Contract	90,079	91,881	75,056	76,557	76,557
Recovered Costs	4,164	6,891	4,164	4,164	4,164
Court Public Access Network (CPAN)	17,254	70,741	0	0	0
State Shared Retirement Circuit Court	93,281	99,562	84,876	82,669	82,669
<b>Total Income</b>	<b>\$8,353,942</b>	<b>\$6,696,633</b>	<b>\$9,447,910</b>	<b>\$7,076,199</b>	<b>\$7,076,199</b>
<b>Net Cost to the County</b>	<b>\$116,533</b>	<b>\$2,223,399</b>	<b>(\$393,113)</b>	<b>\$1,759,748</b>	<b>\$1,642,634</b>

Summary by Cost Center					
Category	FY 2002 Actual	FY 2003 Adopted Budget Plan	FY 2003 Revised Budget Plan	FY 2004 Advertised Budget Plan	FY 2004 Adopted Budget Plan
Court Records	\$2,202,274	\$2,511,929	\$2,476,021	\$2,518,489	\$2,470,062
Courtroom Operations	1,850,869	2,002,043	1,957,043	1,977,277	1,963,795
Clerk's Office	3,345,042	3,220,589	3,477,176	3,157,857	3,111,556
Judicial Support	1,072,290	1,185,471	1,144,557	1,182,324	1,173,420
<b>Total Expenditures</b>	<b>\$8,470,475</b>	<b>\$8,920,032</b>	<b>\$9,054,797</b>	<b>\$8,835,947</b>	<b>\$8,718,833</b>

## Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2004 Advertised Budget Plan, as approved by the Board of Supervisors on April 28, 2003:

- ♦ A decrease of \$54,173 reflects reduced funding for the Pay for Performance program. Based on the approved 25 percent reduction, the FY 2004 program will result in reductions in the increases employees will receive based on their performance rating, capping employees to a maximum of 5.25 percent. This adjustment leaves in place the Pay for Performance program in preparation for system redesign for FY 2005.

# CIRCUIT COURT AND RECORDS

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- ◆ A net reduction of \$33,941 in Personnel Services requiring the agency to manage position vacancies while providing quality services to the public.
- ◆ A decrease of \$29,000 for PC Replacement charges based on the reduction in the annual contribution for PC replacement by \$100 per PC, from \$500 to \$400.

***The following funding adjustments reflect all approved changes to the FY 2003 Revised Budget Plan from January 1, 2003 through April 21, 2003. Included are all adjustments made as part of the FY 2003 Third Quarter Review:***

- ◆ Funding of \$263,932 is reallocated from Personnel Services to Operating Expenses to provide for the purchase of a site license for the Full Court Management System to improve case management and the tracking of cases in the Court.

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## ***County Executive Proposed FY 2004 Advertised Budget Plan***

### **Purpose**

The Circuit Court has jurisdiction in Criminal and Civil cases and provides appellate authority in which an appeal may be taken from a lower tribunal. Criminal cases involve a possible sentence to the State Penitentiary and misdemeanor appeals. Civil jurisdiction provides for adoptions, divorces, and controversies where the claim exceeds \$15,000. Civil public service includes proper issuance of marriage licenses, processing notary commissions, probating wills, recording business certification of any trade names, and collection of recordation taxes as well as providing true copies of documents that are of record in this office. All land recording transactions and judgments are docketed and made available for public viewing.

### **Key Accomplishments**

- ◆ Resolved 96.4 percent of the felony cases within 120 days, exceeding the recommended number of cases to be disposed of in the 120 days timeframe by 6.5 percent.
- ◆ Continued the Neutral Case Evaluation Program with a grant from the Supreme Court and local attorneys donating their time. This program maintains a high standard in settling 92 percent of law cases referred to the program without going to trial.
- ◆ Established a central office for foreign language interpreters to provide better access to the public and to provide additional services to the courts.
- ◆ Initiated electronic filing of Certificates of Satisfaction in Land Records through a pilot program with Fannie Mae, Navy Federal Credit Union, and respective contractors. To date approximately 3,100 certificates have been recorded electronically.
- ◆ A grant funded by the State Justice Institute allowed a pilot program to e-file civil documents. Three Continuing Legal Education (CLE's) seminars were held by the Bar Association with all three holding a 'sell out' audience. One hundred and twenty attorneys registered to participate in the pilot enabling them to move their documents faster and at a lesser cost. The pilot ended January 1, 2002. Electronic filing on the civil side will be incorporated into the new case management system.

# CIRCUIT COURT AND RECORDS

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## FY 2004 Initiatives

- ◆ Electronic filing will be expanded in Land Records with a goal of recording 7,000 Certificates of Satisfaction and Trust Assignments electronically next year.
- ◆ Implement an improved case management system throughout the court with an on-line scheduling of the master docket.
- ◆ To develop programs to enhance the quality of the foreign language interpreters in the courts. These programs will include a more detailed application process, continuing education programs for current interpreters, and an orientation program for new interpreters.
- ◆ Implement Internet access for answering the 45,000 jury questionnaires that are sent to the community each year. Our initial projection is that 50 percent would be answered on-line. This form will then interact with the 'Jury +' system and data will be downloaded, eliminating the need for a clerk to manually enter the information into the system. These questionnaires initiate many individual questions and the availability to address them on-line will be an added public service.

## FY 2004 Budget Reductions

As part of the FY 2004 Advertised Budget Plan, reductions totaling \$457,194 are proposed by the County Executive for this agency. These reductions include:

- ◆ Reduction of \$253,873, including \$139,097 in exempt limited-term funding, \$70,661 in temporary clerical services, and \$44,115 in overtime, in the agency's Land Records section. This will necessitate a change in policy of accepting over-the-counter documents by advancing the time from 3:00 pm to 1:00 pm in order to record documents by the close of business. There will be delays in mailing documents back to customers, backlogs in verification systems, and will extend the processing time of documents received by mail from 30 days to at least 60 days.
- ◆ Reduction of \$126,301 in Personnel Services by managing salary vacancies will eliminate any flexibility the agency might have to deal with the increasing volume of recordations and will render the agency unable to deal with backlogs in documents that have been filed with the Court.
- ◆ Reduction of \$44,000 in Operating Expenses will eliminate flexibility in providing for the needs of agency and Courtroom operations.
- ◆ Reduction of \$23,925 by decreasing the salaries of Law Clerks may lead to the Court being unable to compete for the highest level employees, as the salaries will be less than the Courts in neighboring jurisdictions.
- ◆ Reduction of \$9,095 in staff training may impact staff's ability to continue to perform at high levels leading to possible increased time to accomplish tasks and potential delays in service to the public.

## Performance Measurement Results

Analysis of specific areas of performance of this agency indicates that a high level of service to the public exists. Goals have been met with the timely conclusion of cases. Utilization of 106 percent of the jurors that are called in each day to perform their civic duty has been maintained. Remote public access of land records has increased the flow of information between agencies and has expanded the availability of this information to the public. Recorded documents are immediately available for viewing with the final phase of CARS (Court Automated Recording System).

# CIRCUIT COURT AND RECORDS

## Funding Adjustments

The following funding adjustments from the FY 2003 Revised Budget Plan are necessary to support the FY 2004 program:

- ◆ A net increase of \$64,417 in Personnel Services including \$397,855 associated with salary adjustments necessary to support the County's compensation program partially offset by a decrease of \$333,438 in reductions recommended by the County Executive.
- ◆ A decrease of \$273,871 in Operating Expenses including \$125,369 primarily due to one-time expenditures as part of the FY 2002 Carryover Review, \$123,756 in reductions recommended by the County Executive, and reductions of \$24,746 for adjustments to Information Technology charges, PC replacement charges, and Department of Vehicle Services charges.

The following funding adjustments reflect all approved changes to the FY 2003 Revised Budget Plan since passage of the FY 2003 Adopted Budget Plan. Included are all adjustments made as part of the FY 2002 Carryover Review and all other approved changes through December 31, 2002:

- ◆ Encumbered carryover of \$134,765 including \$125,369 in Operating Expenses and \$9,396 for Capital Equipment.



## Court Records

Cost Center Summary					
Category	FY 2002 Actual	FY 2003 Adopted Budget Plan	FY 2003 Revised Budget Plan	FY 2004 Advertised Budget Plan	FY 2004 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	53/ 53	52/ 52	52/ 52	52/ 52	52/ 52
<b>Total Expenditures</b>	<b>\$2,202,274</b>	<b>\$2,511,929</b>	<b>\$2,476,021</b>	<b>\$2,518,489</b>	<b>\$2,470,062</b>

## Goal

To record, preserve, safeguard, and provide convenient access to all recorded documents and instruments pertaining to land, property, and all other matters brought before the Court; and to coordinate the retention, archiving, and disposition of those documents in accordance with the Code of Virginia.

## Performance Measures

### Objectives

- ◆ To achieve a turnaround time of 60 days in returning documents.
- ◆ To improve and expand the flow of information between the Circuit Court, other County agencies, and the public by increasing remote public access service usage, as measured by Citizen Public Access Network (CPAN) connections, by 33.3 percent.

# CIRCUIT COURT AND RECORDS

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2000 Actual	FY 2001 Actual	FY 2002 Estimate/Actual	FY 2003	FY 2004
<b>Output:</b>					
Documents recorded (deeds, financing statements, wills, uniformed commercial code, and judgments) (1)	275,209	291,583	300,000 / 345,772	375,000	298,807
CPAN users served to date	131	245	350 / 383	400	400
<b>Efficiency:</b>					
Cost per recorded document	\$4.21	\$3.82	\$3.71 / \$3.65	\$3.48	\$3.47
Revenue per paid CPAN connection	\$1,064	\$262	\$300 / \$269	\$300	\$300
<b>Service Quality:</b>					
Turnaround time in returning recorded document (days) (2)	30	30	30 / 35	30	60
Percentage point change of additional CARS information available from off-site location	275	35	16 / 13	10	10
<b>Outcome:</b>					
Percent change in time to return documents	(75%)	3%	0% / (19%)	19%	100%
Percent change of CPAN connections	68.0%	84.0%	46.0% / 56.0%	5.0%	0.0%

(1) In prior years documents such as Wills, Financing Statements, UCC's (Uniformed Commercial Code), Notaries and Trade Names were included under "Documents Recorded." This was reviewed, and in order to reflect more accurate data, it was decided not to include these numbers in this area. While these documents are recorded in nature they are processed in a different manner and should not be measured with the recording of Land Record documents. This number is approximately 20,000.

(2) It was noted in FY 2001 that after full implementation of CARS (Court Automated Recording System) it was discovered that returning documents immediately upon recording was not a feasible goal to obtain. In January of 2002 precise reports were generated showing the time lapse on a daily basis of the return of documents. With additional staffing (summer help) the return time averaged as low as 10 days. When staffing level resumed to normal, the return time increased to an average of 35 days. Summer help was comprised of 4 individuals working mid-May through mid-August.

# CIRCUIT COURT AND RECORDS



## Courtroom Operations

Cost Center Summary					
Category	FY 2002 Actual	FY 2003 Adopted Budget Plan	FY 2003 Revised Budget Plan	FY 2004 Advertised Budget Plan	FY 2004 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	42/ 42	42/ 42	42/ 42	42/ 42	42/ 42
<b>Total Expenditures</b>	<b>\$1,850,869</b>	<b>\$2,002,043</b>	<b>\$1,957,043</b>	<b>\$1,977,277</b>	<b>\$1,963,795</b>

## Goal

To provide full administrative and clerical support in order to accomplish the appropriate and prompt resolution of all cases and jury functions referred to the 19th Judicial Circuit.

## Performance Measures

### Objectives

- ♦ To efficiently process County residents serving as jurors to maintain the daily rate of utilization at no less than 100 percent, in order to minimize the impact on the personal and professional lives of the residents of Fairfax County who are called upon to perform their civic duty.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2000 Actual	FY 2001 Actual	FY 2002 Estimate/Actual	FY 2003	FY 2004
<b>Output:</b>					
Average number of residents called each day for jury selection	95.0	83.0	90.0 / 88.5	90.0	90.0
<b>Efficiency:</b>					
Cost per resident called for jury selection	\$39.71	\$43.24	\$42.70 / \$40.60	\$40.96	\$41.33
<b>Service Quality:</b>					
Percent jury utilization (1)	115%	110%	113% / 106%	106%	106%
<b>Outcome:</b>					
Percentage point change in juror utilization rate	0	5	2 / 7	0	0

(1) The high rate of utilization is due to residents being sent for more than one jury selection per day.

# CIRCUIT COURT AND RECORDS



## Clerk's Office

Cost Center Summary					
Category	FY 2002 Actual	FY 2003 Adopted Budget Plan	FY 2003 Revised Budget Plan	FY 2004 Advertised Budget Plan	FY 2004 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	35/ 35	35/ 35	35/ 35	35/ 35	35/ 35
Exempt	8/ 8	8/ 8	8/ 8	8/ 8	8/ 8
<b>Total Expenditures</b>	<b>\$3,345,042</b>	<b>\$3,220,589</b>	<b>\$3,477,176</b>	<b>\$3,157,857</b>	<b>\$3,111,556</b>

## Goal

To provide effective management of the various components and employees of the Clerk's office in order to produce efficient and effective service to the legal community and the general public.

## Performance Measures

### Objectives

- ♦ To maintain an average fiduciary appointment waiting time of 1.0 week in order to serve the probate needs of Fairfax County residents in a timely manner.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2000 Actual	FY 2001 Actual	FY 2002 Estimate/Actual	FY 2003	FY 2004
<b>Output:</b>					
Fiduciary appointments scheduled per day	29	27	30 / 30	30	30
<b>Efficiency:</b>					
Cost per appointment	\$43.88	\$47.67	\$49.75 / \$49.70	\$51.25	\$53.49
<b>Service Quality:</b>					
Average probate appointment book waiting time (in weeks)	1.0	1.0	1.0 / 1.0	1.0	1.0
<b>Outcome:</b>					
Percent change in waiting time	(33.3%)	0.0%	0.0% / 0.0%	0.0%	0.0%

# CIRCUIT COURT AND RECORDS



## Judicial Support

Cost Center Summary					
Category	FY 2002 Actual	FY 2003 Adopted Budget Plan	FY 2003 Revised Budget Plan	FY 2004 Advertised Budget Plan	FY 2004 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	8/ 8	8/ 8	8/ 8	8/ 8	8/ 8
Exempt	16/ 16	16/ 16	16/ 16	16/ 16	16/ 16
State	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
<b>Total Expenditures</b>	<b>\$1,072,290</b>	<b>\$1,185,471</b>	<b>\$1,144,557</b>	<b>\$1,182,324</b>	<b>\$1,173,420</b>

## Goal

To provide full administrative support and clerical services in order to ensure appropriate and prompt resolution of cases referred to the 19th Circuit.

## Performance Measures

### Objectives

- ♦ To maintain case processing time of law cases by equaling the FY 2002 projected rate of 82 percent of cases disposed of within one year of the filing date (which already exceeds the State average of 75 percent) in FY 2002, toward a target of 90 percent to reach the voluntary case processing guidelines adopted by the Judicial Council, which recommends the disposition of 90 percent of law cases filed within one year.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2000 Actual	FY 2001 Actual	FY 2002 Estimate/Actual	FY 2003	FY 2004
<b>Output:</b>					
Law cases concluded through the Differential Case Tracking Program (DCTP) (1)	2,975	3,661	3,775 / 3,250	3,500	3,500
<b>Efficiency:</b>					
Cost per case concluded in DCTP	\$162.86	\$134.52	\$142.68 / \$160.34	\$155.52	\$162.48
<b>Service Quality:</b>					
Percent of DCTP cases concluded within one year (2)	83%	82%	82% / 85%	86%	86%
<b>Outcome:</b>					
Percentage point change of DCTP caseload concluded within one year	2	(1)	2 / 3	1	0

(1) Reflects law cases concluded within 365 days of initial filing.

(2) Reflects DCTP cases concluded within 365 days of original filing date.